

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment – PR & RD – Srikakulam District –Retirement of Sri S. Simmanna, Record Assistant, ZPHS, Nivagam, Srikakulam District on Medical Invalidation grounds and to Provide Compassionate appoinment to his son i.e. Sri S. Venkata Ramana – Implementation of Orders of APAT dt. 27-4-2001 in O.A. No. 637/2001 read with orders dt. 24-11-2003 of APHC in W.P.No.10811/2003 and Supreme Court of India orders dt. 11-09-2009 in SLP No. 15031/2009 – Orders – Issued.

PANCHYAT RAJ & RURAL DEVELOPMENT (ESTT.VA) DEPARTMENT

G.O, RT. No. 531

DATED: 24-04-2010

Read the following:-

- 1) Orders of Hon'ble APAT, Hyderabad dt. 27-4-2001 in O.A. No. 637/2001
- 2) Orders of Hon'ble AP High Court, Hyderabad dt. 24-11-2003 in W.P. No. 10811/2003
- 3) Chief Executive Officer, Zilla Parishad, Zilla Parishad , Srikakulam District, Rc.No.8927/98/C3 Dt. 10-01-2007
- 4) From the Commissioner, Panchayat Raj &Rural Employment Lr. No. 2663/CPR &RE/I-1/2007 Dt. 2-5-2007
- 5) Orders of Hon'ble Supreme Court of India Dt. 11-9-2009 in SLP No. 15031/2009.

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ORDER

Sri S.Simmanna, Record Assistant, ZPHS, Nivagam, Srikakulam District, applied in 12/1998 for his retirement, on medical invalidation grounds based on the Medical Invalidation certificate dt. 18-5-1999, issued by the District Medical Board; and, to provide compassionate appointment to his son viz., Sri S. Venkata Ramana.

2. The Chief Executive Officer, Zilla Parishad, Srikakulam District did not accept the request of Sri S. Simmanna.

3. Aggrieved by the above, Sri S. Simmanna, filed O.A.No. 637/2001 in APAT, which in its orders dt. 27-04-2001 directed to retire the applicant No. 1 i.e., Sri S. Simmanna, from service on medical invalidation immediately, based on Medical Certificate issued by the District Medical Board; and, further to provide employment to the 2nd applicant, i.e., Sri S. Venkata Ramana, i.e., the son of the first applicant, on compassionate grounds, reckoning the period of five years with reference to the date of issue of medical invalidation certificate by the medical board and not the date of actual retirement of the service, vide reference first read above.

4. Against the above orders appeal was preferred in APHC, which in its orders dt. 24-11-2003 in W.P.No.10811/2003, confirmed the above said orders of the APAT dt. 27-04-2001 in O.A.No.637/2001, vide reference second read above.

5. On the above said APHC orders, the Commissioner, Panchayat Raj And Rural Employment and Chief Executive Officer, Zilla Parishad, Srikakulam District, have requested for orders, vide references fourth and third respectively read above; and, on this, Government on 29-01-09, ordered filing of Appeal in Hon'ble Supreme Court of India, by filing SLP.

(pto)

6. Accordingly, appeal was preferred in Hon'ble Supreme Court of India, which in SLP No.15031/2009 dt.11-09-2009 dismissed the SLP, filed against the above said orders of APHC dt.24-11-2003 in W.P.No.10811/2003, vide reference fifth read above.

7. Government, after careful examination of the issue, decide and hereby direct the Commissioner, Panchayat Raj And Rural Employment and Chief Executive Officer, Zilla Parishad, Srikakulam District, to implement the orders of APAT dt.27-04-2001 in O.A.No.637/2001, as confirmed by APHC in its orders dt 4-11-2003 in W.P.No.10811/2003 read with the orders of Hon'ble Supreme Court of India dt. 11-09-2009 in SLP No.15031/2009, in respect of retirement of Sri S. Simmanna, Assistant, ZPHS, Nivagam, Srikakulam District, on medical invalidation grounds; and, to provide compassionate appointment to his son, viz., Sri S.Venkara Raman, as per his educational qualification.

8. The Commissioner, Panchayat Raj and Rural Employment and Chief Executive Officer, Zilla Parishad, Srikakulam District, shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner , Panchayat Raj & Rural Employment ,A.P., Hyderabad

The Chief Executive Officer, Zilla Parishad , Srikakulam District

Copy to

The individual through the Chief Executive Officer, Zilla Parishad , Srikakulam District

The District Treasury Officer, Srikakulam District

The Accountant General , A.P., Hyderabad

The P.S. to Hon'ble C.M.

The P.S. to Hon'ble Minister

The P.S. to the Principal Secretary to Government (PR)

The Government Pleader(PR), APAT, Hyderabad

The Government Pleader(Services-II) , AP High Court, Hyderabad

The Registrar, Hon'ble Lokayuktha, A.P., Hyderabad

SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER